



Housing Policy and Practices Advisory Group

Housing Planning and Practices Advisory Subcommittees Issue Synopsis and Recommendations

Subcommittee: Non-Vacant Sites

Group Purpose: The Non-Vacant Sites subcommittee's charge is to develop criteria to determine the feasibility of a non-vacant site's re-use for housing affordable to lower-income households.

Summary: The Fair Housing group held three calls (Feb 8, March 28 and April 4). From the first call, proposals were developed and partially discussed in the second and third calls. No consensus was reached on additional evaluative criteria or requirements for listing sites. However, there was partial agreement on some issues suggesting there might be potential for consensus. These issues include:

- Need for additional guidance from HCD, including case studies that demonstrate effective strategies that different types of communities have used to develop affordable housing on non-vacant and small sites.
- The importance of timely implementation of housing element programs that encourage redevelopment of sites.
- Group agreed that TCAC scoring, site size and capacity factors could be listed in the element and considered in analysis of sites, however, the degree to which those factors would be weighted was not agreed upon. The group did reach consensus that if a jurisdiction has reliance on non-vacant or small sites that the element should contain program(s) that facilitate that development.

Major Issues:

- To what degree are non-vacant and small sites viable for development, especially affordable? For example, is listing in a housing element's sites inventory in multiple cycles indicative of availability.
- Should owner interest be a factor in determining if a site is suitable? Business, owners, conditions change, Not realistic to try to determine owner intent
- HCD should emphasize incentives for affordable housing, including timely adoption and implementation of programmatic actions.
- Safe-harbor (little to no analysis for sites is necessary if they meet certain criteria): no consensus reached on this topic. Some possible criteria included if a site allowed residential development by-right (some felt that a site should be eligible if it only allows affordable housing by-right), TCAC scoring, eligibility for other CEQA streamlining

provisions, part of specific plan or implementing part of a Sustainable Communities Strategy.

Proposals with Consensus:

- Group reached agreement that HCD expand building blocks technical assistance items to include case studies and real world examples showing different strategies for utilizing non-vacant and small sites in the housing element, including sample programs that would be appropriate to include given the strategy. Case studies should include urban, suburban, and rural areas.
- Group agreed that timely adoption, i.e. within three years of the housing element, of regulatory incentives and programs to facilitate development of non-vacant and small sites is important and necessary when an element relies on non-vacant and small sites in the element.
- Group agreed that if element identifies non-vacant and small sites to accommodate lower income housing needs the element contain program or programs to encourage development of those sites for lower income housing.